

Brush, Jason

From: Brush, Jason
Sent: Wednesday, August 28, 2013 4:19 PM
To: PerezSullivan, Margot
Cc: Harris-Bishop, Rusty
Subject: Re: From Tony--welcome back to my questions

Fine with me but Tony has been working with Rusty so I'd check in with him on comm strat.

From: PerezSullivan, Margot
Sent: Wednesday, August 28, 2013 3:29:41 PM
To: Brush, Jason
Cc: Goldmann, Elizabeth; Leidy, Robert; Jessop, Carter; Goforth, Kathleen; Bose, Laura
Subject: Re: From Tony--welcome back to my questions
Thanks Jason. Shall I just keep it simple and send him exactly that sentence?

From: Brush, Jason
Sent: Wednesday, August 28, 2013 6:20:37 PM
To: PerezSullivan, Margot
Cc: Goldmann, Elizabeth; Leidy, Robert; Jessop, Carter; Goforth, Kathleen; Bose, Laura
Subject: Re: From Tony--welcome back to my questions

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From: PerezSullivan, Margot
Sent: Wednesday, August 28, 2013 3:02:27 PM
To: Brush, Jason
Subject: FW: From Tony--welcome back to my questions
I'm back! And Tony has questions!!!

From: Tony Davis [mailto:verdin@azstarnet.com]
Sent: Wednesday, August 28, 2013 2:32 PM
To: PerezSullivan, Margot
Subject: From Tony--welcome back to my questions
Margot,

As you know, I have been asking your Region 9 wetlands staff numerous questions about Rosemont Copper's mitigation plan for its 404 permit application with the Corps. I do have a followup, but only one category of questions this time.

In the past, EPA has said that this 404 permit is a good potential candidate for referral to Washington, D.C. for handling by the Corps' and EPA's Washington, D.C. office. Here's how we described the situation in early 2012, following the release of two critical letters from EPA on the 404 permit application and on the Forest Service draft Rosemont EIS. The story quoted Region 9 administrator Jared Blumenfeld:

"The above considerations, if unresolved, could provide an adequate basis for permit denial under the regulations in any environmental setting" where federally regulated washes are affected, he wrote.

Blumenfeld said if the issues he raised aren't resolved, the EPA may refer the environmental impact statement to the Council on Environmental Quality in the White House. The agency may also request a review of the corps permit issue by EPA and corps officials in Washington, D.C.

Both actions would be very unusual.

My question is: Has anything changed in this regard since early 2012, regarding EPA's broader view on the mine issues and the 404 permit in general? Is it still a possibility that EPA could refer the Forest Service ?EIS to the CEQ, and the 404 permit to EPA and Army Corps officials in Washington, D.C.?

Thanks a lot,

Tony Davis

Environmental Reporter

Arizona Daily Star

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